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Attorneys for Defendant
THE GOLDMAN SACHS GROUP, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HILLSIDE DRILLING, INC., a California Corporation, on its own behalf, and a pass through claims with THOMPSON PACIFIC CONSTRUCTION, INC.; THOMPSON PACIFIC CONSTRUCTION, INC., a California Corporation,

Plaintiffs,

v.

THE GOLDMAN SACHS GROUP, INC. (a Delaware Corporation); GOLDMAN SACHS URBAN INVESTMENT GROUP (a Delaware Corporation); JAMESTOWN EQUITY PARTNERS LLC, (a Delaware Limited Liability Company); CITIGROUP INC. (A Delaware Corporation) a.k.a. and/or d.b.a. CITIBANK CORP or CITIBANK; CITIBANK CORP. (a business of an unknown type); NOTEWARE DEVELOPMENT, LLC (a Nevada Limited Liability Company); JAMES NOTEWARE,

Defendants.

Case No. C 09-01896 SI

**STIPULATION FOR
CONTINUANCE OF NOTICED
HEARING DATE**

Current Hearing Date: July 10, 2009
Requested Hearing Date: July 31, 2009
Time: 9:00 a.m.
Courtroom: 10
Judge: Honorable Susan Illston

1 Plaintiffs Hillside Drilling, Inc., and Thompson Pacific Construction, Inc., and defendants
2 The Goldman Sachs Group, Inc. ("GS Group"), and Citicorp USA, Inc. (erroneously sued as
3 Citigroup, Inc.), through their respective counsel of records, hereby stipulate to the following:

4 1. Due to prior commitments, GS Group's counsel is unable to attend the motion to
5 dismiss hearing continued from June 19, 2009 to July 10, 2009 by order of the Court. *See* Notice
6 (Docket No. 31).

7 2. Plaintiffs and defendants GS Group and Citicorp USA, Inc., respectfully request
8 the hearing be continued to July 31, 2009 at 9:00 a.m.

9 3. Plaintiffs and defendants GS Group and Citicorp USA, Inc., have not requested
10 any previous continuances of this hearing date.

11 Dated: June 22, 2009

Respectfully submitted,

12 Jones Day

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14 By: /s/ Deanna L. Johnston
15 Deanna L. Johnston

16 Attorneys for Defendant
17 THE GOLDMAN SACHS GROUP, INC.

18
19 Dated: June 22, 2008

Respectfully submitted,

20 Keesal, Young & Logan

21
22 By: /s/ Ben Suter
23 Ben Suter

24 Attorneys for Plaintiffs
25 CITICORP USA, INC. (erroneously sued as
26 CITIGROUP, INC.)
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1 Dated: June 22, 2008

Respectfully submitted,

2 Law Offices of Gary W. Gorski

3
4 By: /s/ Gary W. Gorski

5 Gary W. Gorski

6 Attorney for Plaintiffs
7 HILLSIDE DRILLING, INC., and
8 THOMPSON PACIFIC CONSTRUCTION,
9 INC.
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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Deanna L. Johnston, attest that I obtained the concurrence of Ben Suter and Gary W. Gorski in filing this document. I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct. Executed this 22nd day of June, 2009, in San Francisco, California.

Dated: June 22, 2009

JONES DAY,

By: /s/ Deanna L. Johnston
Deanna L. Johnston

Attorneys for Defendants
THE GOLDMAN SACHS GROUP, INC.

SFI-613104v1

